

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

BENSLEY CONSTRUCTION, INC.,
on its own behalf and on behalf
of all others similarly situated,

Plaintiff,

v.

MARSH & MCLENNAN
COMPANIES, INC., et al.

Defendants.

Civil Action No. 05 11249 GAO

ASSENTED-TO MOTION TO RESCHEDULE HEARING DATE

Plaintiff Bensley Construction, Inc., with the assent of all Defendants, hereby moves this Court for an Order rescheduling the hearing in this matter currently set for October 24, 2005 at 2:15 p.m. Plaintiff, with Defendants' assent, respectfully requests that, if possible, the hearing be rescheduled for one of the following dates, in order of the parties' preference: November 21-22; November 28-30; or November 9, 2005.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

Undersigned counsel certify that they have conferred with opposing counsel in a good faith effort to resolve or narrow the issues raised by this Motion, and counsel for Marsh & McClellan Companies, Inc., on behalf of all Defendants, has assented to the relief requested.

Dated: October 19, 2005

Respectfully submitted,

GILMAN AND PASTOR, LLP

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